

BILL NO. X-70-09- 09

ANNEXATION ORDINANCE NO. X- 34-70

AN ORDINANCE annexing certain territory to the City of Fort Wayne, and including the same in Councilmanic District No. 4.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby annexed to and made part of the corporation of the City of Fort Wayne, Indiana, to-wit:

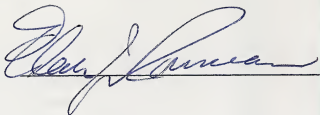
Beginning at the intersection of the East line of the Southwest quarter of Section 33, Township 30 North, Range 12 East, with the centerline of the Harber Ditch; thence South along the East line of the Southwest quarter of Section 33, Township 30 North, Range 12 East, and said line projected South to a point in Section 4, Township 29 North, Range 12 East, 85 feet South of the South line of Section 33, Township 30 North, Range 12 East; thence West along a line 85 feet South of and parallel to the North line of Section 4, Township 29 North, Range 12 East, to its intersection with the Easterly right-of-way line of State Road #3; thence in a Northerly direction along the Easterly right-of-way line of State Road #3 to its intersection with the centerline of the Harber Ditch; thence in a Southeasterly direction along the centerline of the Harber Ditch to its intersection with the East line of the Southwest quarter of Section 33, Township 30 North, Range 12 East, said point also being the place of beginning, containing approximately 65.7 acres of land, more or less.

SECTION 2. Said annexed territory shall be part of Councilmanic District No. 4 of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect after its passage, approval by the Mayor, and thirty days after the second publication thereof as provided by law.

APPROVED AS TO FORM
AND LEGALITY,


CITY ATTORNEY



Read the first time in full and on motion by Rousseau seconded by Robinson and duly adopted, read the second time by title and referred to the (Committee on) Annexation (and to the City Plan Commission for recommendation) (~~and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on~~ the _____ day of _____ 196____, at _____ o'clock P.M., E.S.T.

Date: 9-8-70

Thad H. Bonachoon
City Clerk

Read the third time in full and on motion by Rousseau seconded by Geake and duly adopted, placed on its passage.

Passed (~~lost~~) by the following vote:

AYES	<u>7</u>	NAYS	<u>0</u>	ABSTAINED	____	ABSENT	<u>2</u>	to-wit:
Adams	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Dunifon	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Fay	_____	_____	_____	_____	_____	_____	<u>✓</u>	
Geake	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Nuckols	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Robinson	_____	_____	_____	_____	_____	_____	<u>✓</u>	
Rousseau	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Steigerwald	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Tipton	<u>✓</u>	_____	_____	_____	_____	_____	_____	

Date 12-15-70

Thad H. Bonachoon
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~)(~~General~~)(Annexation)(~~Special~~)(Appropriation) Ordinance (~~Resolution~~) No. X 34-70

on the 15th day of December, 196 70.

ATTEST:

(SEAL)

Thad H. Bonachoon
City Clerk

Glester K. Roper
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 16th day of December, 196 70 at the hour of 8:30 o'clock 7-M., E.S.T.

Thad H. Bonachoon
City Clerk

Approved and signed by me this 17th day of December, 196 70 at the hour of 4:05 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. X-70-09-09

REPORT OF THE COMMITTEE ON ANNEXATION

We, your Committee on Annexation to whom was referred an Ordinance
annexing certain territory to the City of Fort Wayne, and including the same in
Councilmanic District No. 4,

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

EDWIN J. ROUSSEAU, Chairman

WILLIAM K. GRAKE, Vice-Chairman

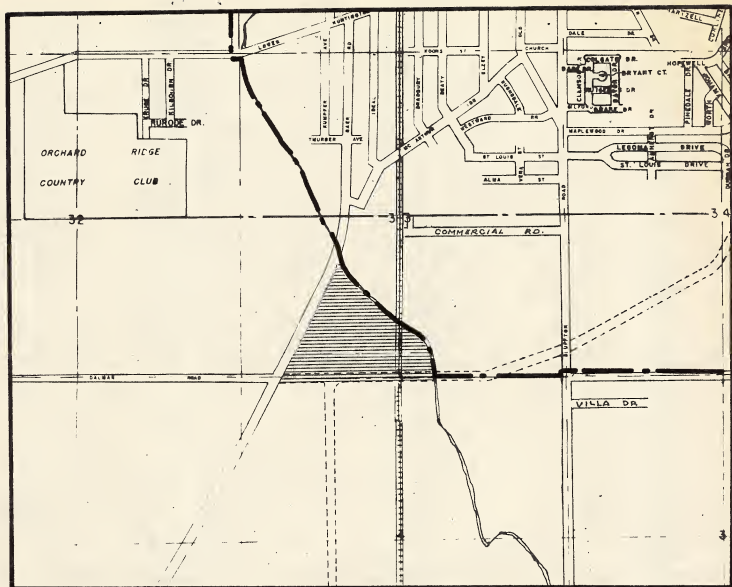
JACK K. DUNIFON

JOHN NICKOLS

JOHN H. ROBINSON

Edwin J. Rousseau
William K. Grake
Jack K. Dunifon
John Nickols

CONCURRED IN
DATE 12-15-70 FUAD G. BONAHOOM, CITY CLERK



EXISTING CORPORATE LIMITS

PROPOSED CORPORATE LIMITS

COMMITTEE REPORT

ANNEXATION ORDINANCE NO. X-70-09-09

After reviewing the Annexation Report, it is the opinion of this Committee that the area proposed to be annexed by Bill No. X-70-09-09 does meet the criteria for annexation as follows:

1. THE AREA PROPOSED FOR ANNEXATION MUST HAVE AT LEAST ONE-EIGHTH (1/8) OF THE AGGREGATE EXTERNAL BOUNDARIES COINCIDE WITH THE BOUNDARIES OF THE ANNEXING CITY:

This area is contiguous to the present corporate limits by total of approximately one third (1/3) OF ITS EXTERNAL BOUNDARIES.

2. THE AREA PROPOSED FOR ANNEXATION MUST HAVE A UNITY OF INTEREST WITH THE MUNICIPALITY:

This area is commercial and industrial in nature and there are presently existing City sewer and City water in the area. Therefore the area does have a unity of interest.

3. THE CITY MUST DESIRE TO ANNEX THE AREA:

If the City Council, being the Legislative Branch, and the Mayor, being the head of the Administrative Branch, pass and approve the annexation ordinance annexing this area, it would certainly indicate that the City desires to annex the area.

4. THE ADVANTAGES TO THE AREA PROPOSED FOR ANNEXATION MUST OUTWEIGHT THE DISADVANTAGES:

The only disadvantage to the annexation would be from the standpoint of increased taxes.

5. THE ADVANTAGES TO THE CITY MUST OUTWEIGH THE DISADVANTAGES:

The advantages to the City would outweigh the disadvantages in that the City would be continuing to realize a normal, active growth from the standpoint that development will take place around the City, whether the City wants it or not. The only complications that might arise are when the areas around the City either incorporate as separate communities or maintain an independent status and thereby prohibit the natural growth and expansion of the City proper.

6. THE DEFICIT OF INCOME AGAINST EXPENSE TO THE CITY MUST NOT BE UNREASONABLE:

At the present time the net annual deficit to the City is \$1,348.00. This does not include an assessment on the new warehouse complex under construction at the present time. Therefore the deficit would not be reasonable.

7. THE CITY HAS DEVELOPED A FISCAL PLAN TO FURNISH THE TERRITORY WITHIN A PERIOD OF THREE (3) YEARS, GOVERNMENTAL AND PROPRIETARY SERVICES:

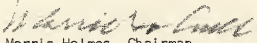
The present policy of the City is to provide governmental and proprietary services immediately following annexation.

8. THAT THE RESIDENT POPULATION IS EQUAL TO AT LEAST THREE (3) PERSONS PER ACRE, OR
THAT THE LAND IS ZONED FOR COMMERCIAL, BUSINESS OR INDUSTRIAL USES, OR
THAT SIXTY PERCENT (60%) OF THE LAND IS SUBDIVIDED:

Of the total 65.7 acres included in this area, one hundred per cent (100%) is zoned "M2" - General Industrial.

Based upon the above reasoning, it is the recommendation of this Committee that the area proposed for annexation by Bill No. X-70-09-09 does meet the criteria for annexation and therefore, should be returned to the Common Council with the recommendation that it DO PASS. It is further recommended that this ordinance be enacted so as to become effective as soon as possible.

Respectfully Submitted,



Morris Holmes, Chairman
Annexation Committee

LOCATION: A triangular area bounded generally by State Road # 3, Harbor Ditch (Existing corporate limits) and the proposed Baer Field Expressway.

SIZE: Approximately 65.7 acres or .1 square mile

POPULATION: Assuming a factor of 3.5 persons per dwelling unit, the estimated population is 14 persons.

BUILDINGS:

<u>Type</u>	<u>Number</u>	<u>Condition</u>
Residential	4	Fair - Good
Commercial	2	Fair - Good
Industrial	1	Excellent (under construction)

STREETS & ROADS: None

ZONING: 100% of the area is zoned "M2" General Industrial

LAND USE:

<u>Type</u>	<u>Present Occupancy</u>	
	<u>Acres</u>	<u>%</u>
Residential	1.8	2.7
Commercial	7.6	11.5
Industrial	34.5	52.5
Vacant	<u>21.8</u>	<u>33.3</u>
	65.7	100 %

URBAN SERVICES:

SEWER: This area is presently being serviced by City Sanitary Sewers.

WATER: This area is served by a new 16" water main constructed in the proposed Baer Field Expressway.

STREETS: There are no streets included within this area.

POLICE PROTECTION: This service is based on a cost per person with an estimated population of 14 person. It would cost \$175.00 to provide this service.

FIRE PROTECTION: Based on a cost of \$33,044.00 per square mile, it would cost \$3,304.00 to provide this service.

FIRE ALARM BOXES: This area would require 2 alarm boxes at a cost of \$1,000.00 plus a \$100.00 yearly maintenance charge.

GARBAGE COLLECTION: Based on a cost of \$12.99 per dwelling unit, it would cost \$51.96 to provide this service.

ASSESSED VALUATION:

Land and Improvements (Actual)	\$ 66,500.00
Privately Owned Utilities	
Indiana & Michigan Electric Company	574.00
N I P S C O (Gas Company)	434.00
General Telephone	<u>324.00</u>
	\$ 67,832.00

EXPECTED REVENUE:

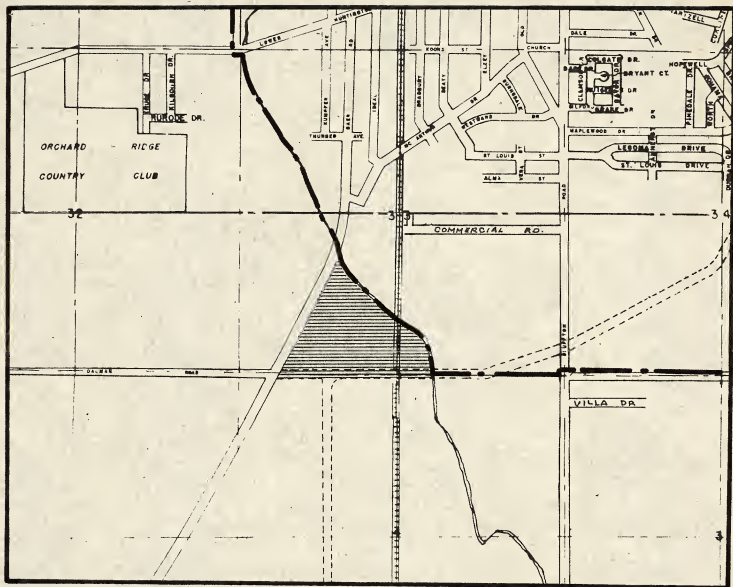
Property Taxes (\$3.08 per \$100.00)	\$ 2,089.24
Alcoholic Gallonage Tax	113.82
Gasoline Tax	18.90
Cigarette Tax	<u>50.40</u>
	\$ 2,272.36

Note: Assessed valuation does not include Indiana and Michigan Electric Company warehouse now under construction.

SUMMARY:

<u>Services to be supplied</u>	<u>Expenditures</u>	
	<u>Capital</u>	<u>Operation</u>
Police Protection	\$ -0-	\$ 175.00
Fire Protection	-0-	3,304.00
Fire Alarm Boxes	1,000.00	100.00
Garbage Collection	<u>-0-</u>	<u>51.96</u>
	\$ 1,000.00	\$ 3,630.96

NET ANNUAL DEFICIT TO CITY (After first year)	\$ 1,348.60
CAPITAL EXPENDITURES	\$ <u>1,000.00</u>
NET ANNUAL DEFICIT TO CITY (First year)	\$ 2,348.60



——— EXISTING CORPORATE LIMITS

▨ PROPOSED CORPORATE LIMITS

Common Council-City of Ft. Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head	number of lines	-
Body	number of lines	102
Tail	number of lines	1
Total number of lines in notice		103

COMPUTATION OF CHARGES

103 lines, columns wide equals equivalent lines at 28¢
cents per line \$29.66

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$29.66

DATA FOR COMPUTING COST

Width of single column 11 ems	Size of type 5½ point
Number of insertions 2	Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date January 8, 1971

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } as:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time, 8, the dates of publication being as follows:

December 28, 1970

January 4, 1971

Subscribed and sworn to before me this 8th day of January 1971

Notary Public

My commission expires March 8, 1974

Notice is hereby given on the 15th day of December, 1970, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following Annexation Ordinance, to-wit: Bill No. X-70-09-09
ANNEXATION ORDINANCE NO. X-34-70
AN ORDINANCE annexing certain territory to the City of Fort Wayne, and including the same in Councilmanic District No. 4.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby annexed to and made part of the corporation of the City of Fort Wayne, Indiana, to-wit:

Beginning of the intersection of the East line of the Southwest quarter of Section 33, Township 30 North, Range 12 East, with the centerline of the Harbor Ditch; thence South along the East line of the Southwest quarter of Section 33, Township 30 North, Range 12 East, and said line projected South to a point in Section 4, Township 29 North, Range 12 East, 85 feet South of the intersection of the East line of the Southwest quarter of Section 33, Township 30 North, Range 12 East, with the centerline of the Harbor Ditch; thence in a Southeasterly direction along the centerline of the Harbor Ditch to its intersection with the East line of the Southwest quarter of Section 33, Township 30 North, Range 12 East, said point being the place of beginning, containing approximately 65.7 acres of land, more or less.

SECTION 2. Said annexed territory shall be part of Councilmanic District No. 4 of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect after its passage, after the second publication thereof as approved by the Mayor, and thirty days provided by law.

Edwin J. Rousseau, Councilman,
Read the third time in full and on motion by Rousseau seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes seven,
Adams, Dunilton, Geake, Nuckols, Rousseau, Stetlerwald, Tipton.

Nays none.

Absent two, to-wit: Councilmen Fay and Robinson.

Date: 12-15-70.

Fuad G. Bonahoom, City Clerk,
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-34-70 on the 15th day of December, 1970.

ATTEST: (SEAL)

Fuad G. Bonahoom, City Clerk,
Herbert G. Tipton, Presiding Officer.

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of December, 1970 at the hour of 8:30 o'clock A.M., E.D.T.

Fuad G. Bonahoom, City Clerk,
Approved and signed by me this 22nd day of December, 1970, at the hour of 4:05 o'clock P.M., E.S.T.

Harold S. Zeis, Mayor,
I, Fuad G. Bonahoom, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true, and complete copy of Annexation Ordinance No. X-34-70 passed by the Common Council on the 15th day of December 1970, and that said Ordinance was duly signed, and approved by the Mayor on the 22nd day of December, 1970 and now remains on file and on record in my office.

Witness my hand, and the official seal of the City of Fort Wayne, Indiana, this 22nd day of December, 1970.

SEAL
Fuad G. Bonahoom, City Clerk.

Date January 3, 1971Title Clerk

Legals

Notice is hereby given on the 15th day of December, 1970, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following Annexation Ordinance, to-wit: Bill No. X-70-09-09

AN ORDINANCE amending certain territory to the City of Fort Wayne, and including the same in the Councilmanic District No. 4.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same hereby annexed to and made part of the corporation of the City of Fort Wayne, Indiana, to-wit:

Beginning of the intersection of the East line of the Southwest quarter of Section 33, Township 30 North, Range 12 East, with the centerline of the Harbor Ditch; thence South along the East line of the Southwest quarter of Section 33, Township 30 North, Range 12 East, and said line projected South to a point in Section 4, Township 29 North, Range 12 East, 85 feet South of the South line of Section 33, Township 30 North, Range 12 East; thence West along a line 85 feet South of and parallel to the North line of Section 4, Township 29 North, Range 12 East, to its intersection with the Easterly right-of-way line of State Road No. 3; thence in a Northerly direction along the Easterly right-of-way line of State Road No. 3 to its intersection with the centerline of the Harbor Ditch; thence in a southeasterly direction along the centerline of the Harbor Ditch to its intersection with the East line of the Southwest quarter of Section 33, Township 30 North, Range 12 East, said point also being the place of beginning, containing approximately 65.7 acres of land, more or less.

SECTION 2. Said annexed territory shall be part of Councilmanic District No. 4 of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect after its passage, after the second publication thereof as approved by the Mayor, and thirty days provided by law.

Read the third time in full and on motion by Rousseau seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes seven.
Adams, Dunlifen, Geake, Nuckols, Rousseau, Steigerwald, Tipton.

Nays none.
Absent two, to-wit: Councilmen Fay and Robinson.

Date: 12-15-70.

Fuad G. Bonahoom, City Clerk.
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-70-09 on the 15th day of December, 1970.

ATTEST: (SEAL)

Fuad G. Bonahoom, City Clerk.
Herbert G. Tipton, Presiding Officer.
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 16th day of December, 1970 at the hour of 8:30 o'clock A.M., E.D.T.

Fuad G. Bonahoom, City Clerk.
Approved and signed by me this 22nd day of December, 1970, at the hour of 4:10 o'clock P.M., E.S.T.

Harold S. Zeis, Mayor.

I, Fuad G. Bonahoom, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true, and complete copy of Annexation Ordinance No. X-70-09 passed by the Common Council on the 15th day of December, 1970, and that said Ordinance was duly signed, and approved by the Mayor on the 22nd day of December, 1970 and now remains on file and on record in my office.

Witness my hand, and the official seal of the City of Fort Wayne, Indiana, this 22nd day of December, 1970.

SEAL
Fuad G. Bonahoom, City Clerk.

BLISHER'S AFFIDAVIT

Indiana
County } ss:

I appeared before me, a notary public in and for said county and state, the said A. M. Hostman who, being duly sworn, says he is Clerk of the

NEWS-SENTINEL

DAILY newspaper of general circulation printed and published in English language in the city of FORT WAYNE, INDIANA and county aforesaid, and that the printed matter attached hereto is a true copy, as duly published in said paper for 2 time s, the dates of publication being as:

December 28, 1970

January 4, 1971

and sworn to before me this 8th day of January 19 71

Notary Public

mission expires March 8, 1974



Common Council-City of Ft. Wayne
(Governmental Unit)

To: NEWS-SENTINEL Dr.

Allen

County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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— number of equivalent lines

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Total number of lines in notice

—

—

102

1

103

COMPUTATION OF CHARGES

103 lines, columns wide equals equivalent lines at .288¢
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29.66

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Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

29.66

\$

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Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date January 3, 1971

Title Clerk

Legals

Notice is hereby given on the 15th day of December, 1970, the Common Council of the City of Fort Wayne, Indiana, all of the City of Fort Wayne, Indiana, do hereby certify the following:

PUBLISHER'S AFFIDAVIT

Indiana } ss:
County }appeared before me, a notary public in and for said county and state, the
d A. M. Hostman who, being duly sworn, says
is Clerk of the
NEWS-SENTINELDAILY newspaper of general circulation printed and published
lish language in the city of FORT WAYNE, INDIANA
d county aforesaid, and that the printed matter attached hereto is a true copy,
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Notary Public

Commission expires

March 8, 1974

AD

